



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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**CRM-M-53956-2025
Date of decision: 29.09.2025**

HARENDER ALIAS HARI ALIAS HARISHPetitioner

VERSUS

STATE OF HARYANARespondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. Deepender Singh, Advocate for the petitioner.

Ms. Chhavi Sharma, Asstt. A.G. Haryana.

VINOD S. BHARDWAJ, J. (Oral)

The instant second petition is for seeking concession of regular bail in case bearing FIR No. 494 dated 14.10.2022 registered under Sections 148, 149, 307, 323, 452, 506 of the Indian Penal Code, 1860 and Section 25 of the Arms Act (Section 325 of the IPC was added later on) at Police Station Hodal, District Palwal.

2. Succinctly put, the factual background of the case of the prosecution is that Lal Singh, a resident of Gaudota Railway Gate in Hodal, submitted a formal complaint to the SHO of Hodal Police Station regarding a violent attack on October 13, 2022. According to Lal Singh, he was at home due to the Karva Chauth festival when the incident occurred. His aunt Rajo was attending her grocery shop and his cousin Surender Singh, was

also home at the time. Around 4:30-5:00p.m., the accused-Heri alias Harish, Tundal alias Rajesh and Omi alias Lala arrived at the shop and began harassing Rajo verbally. Although the bystanders intervened and sent them away, the accused returned at around 6:30 p.m. in a car, armed with country-made pistols, baseball bats and sticks. Upon arrival, the accused began abusing Rajo again. Harish and Rajesh brandished pistols, while the others carried sticks. The group physically assaulted Rajo and demanded that Surrender be brought out of the house, declaring their intent to kill him. The assailants entered the house forcefully and Harish allegedly fired the first shot into Surrender's mouth. Omi followed with another gunshot aimed at Surrender. Meanwhile, Tundal fired several more rounds inside the house. Rajo attempted to protect Surrender but was beaten with baseball bats, sustaining multiple injuries. Hearing gunshots, neighbors gathered, prompting the attackers to flee in their vehicle and the attackers fired shots in the air as they headed towards the Hodal highway. Surrender, severely injured and bleeding from the head, was taken to Sarvodaya Hospital in Faridabad by his relatives. His condition remained critical due to gunshot wounds. Rajo was taken to the Government Hospital in Hodal for treatment, where her injuries were documented as blunt-force trauma. Upon being informed by the Police Control Room, Sub-Inspector (SI) Akhtar Hussain, along with other Officers, arrived at the scene and initiated an investigation. They collected witness statements and received medical reports (MLRs) for both Rajo and Surrender. The reports confirmed that Rajo had suffered four blunt injuries, while Surrender had sustained gunshot wounds. SI Akhtar Hussain visited Sarvodaya Hospital to take statements from the victims. However, Surrender was declared unfit to provide a statement due to his

critical condition. Lal Singh, present at the hospital, reiterated his written complaint and requested strict action against the accused. Based on the evidence and medical reports, a formal case was registered at Hodal Police Station under Sections 148, 149, 323, 452, 307, 506 of the Indian Penal Code, along with the relevant provisions of the Arms Act. The petitioner-Harender @Hari @ Harish was arrested on 16.1.2023.

3. Learned Counsel appearing on behalf of the petitioner contends that the petitioner is in custody since 16.01.2023 and the trial is at initial stage and only 08 witnesses out of total 29 witnesses have been examined so far.

4. Counsel for the respondent-State on the other hand contends that the petitioner is the main accused and he allegedly fired the gun shots resulting into the injury attracting Section 307 of the IPC. She, however, does not dispute that only 08 witnesses out of total 29 witnesses have been examined so far and 21 witnesses are yet to be examined. Besides, the petitioner has already undergone an actual custody of nearly 02 years, 07 months and 28 days.

5. I have heard learned counsel appearing on behalf of the respective parties.

6. In view of the facts noticed above and taking into consideration the period of custody and the stage of the trial, I deem it appropriate to enlarge the petitioner on regular bail to the satisfaction of the trial Court.

7. The instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

8. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

9. The observation made hereinabove shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

SEPTEMBER 29, 2025

Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No